

## Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 IO-14 ISO-00 FEA-01 AGR-10 ACDA-10  
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02 COME-00  
DODE-00 DOTE-00 EB-07 EPA-04 ERDA-07 FMC-02  
TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00  
NSC-05 NSF-02 OES-07 OMB-01 PA-02 PM-04 PRS-01  
SP-02 SS-15 USIA-15 /157 W  
-----031858Z 057865 /50

R 031806Z JUN 77  
FM AMEMBASSY BONN  
TO SECSTATE WASHDC 8794  
INFO AMEMBASSY BRUSSELS  
AMEMBASSY COPENHAGEN  
AMEMBASSY DUBLIN  
AMEMBASSY LONDON  
AMEMBASSY PARIS  
AMEMBASSY THE HAGUE  
AMEMBASSY ROME  
AMEMBASSY LUXEMBOURG  
USMISSION USUN NEW YORK

UNCLAS SECTION 01 OF 02 BONN 09471

USEEC ALSO FOR EMBASSY

E.O. 11652 N/A  
TAGS: PLOS, GW  
SUBJECT: LOS: FRG STATEMENTS ON DEEP SEABED MINING AND  
OTHER LOS ISSUES

1. DURING THE MAY 27 SESSION OF THE BUNDESTAG, FOREIGN  
OFFICE STATE SECRETARY VON DOHNANYI ANSWERED A ROUND  
OF QUESTIONS ON CURRENT LOS ISSUES, INCLUDING FRG  
EXCLUSION FROM THE GROUP OF FIVE, THE POSSIBILITIES  
FOR UNILATERAL MEASURES TO PROTECT DEEP SEABED  
MINING, FRG INTERESTS IN THE KADET STRAITS AND  
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THE BALTIC, EXTENSION OF THE 3-MILE LIMIT TO 12  
MILES, SCIENTIFIC RESEARCH, DEFINITION OF CLOSED  
AND SEMI-CLOSED SEAS, EC COORDINATION, AND  
FISHING IN THIRD COUNTRY WATERS.

2. VON DOHNANYI EXPRESSED BELIEF THAT THE PRINCIPLE  
OF FREE TRANSIT WILL BE ADOPTED AT THE CONFERENCE,

AND THAT THIS PRINCIPLE WILL BE APPLIED TO THE KADET STRAITS. CONCERNING CLOSED AND SEMI-CLOSED SEAS, HE CONSIDERED THE REGULATIONS PROPOSED IN CHAPTER IX OF RSNT II AS BEING SUPERFLUOUS AND PLEADED IN FAVOR OF THEIR ELIMINATION. WITH RESPECT TO SCIENTIFIC RESEARCH, HE MENTIONED THE DIFFICULTIES WHICH HAD BEEN BROUGHT ABOUT BY THE CHANGE IN SOVIET POLICY TO SUPPORT FOR THE PRINCIPLE OF COASTAL STATE CONSENT. HE STRESSED THAT IT WILL BE NECESSARY FOR THE FRG TOGETHER WITH THE US TO "REACH OUR GOAL OF AS UNIMPEDED AS POSSIBLE MARINE SCIENTIFIC RESEARCH WITHIN THE FRAMEWORK OF COMPROMISE SOLUTIONS SUCH AS A REGIME OF IMPLIED CONSENT.

3. IN RESPONSE TO A QUESTION ON WHETHER THE FRG'S NEGOTIATING POSITION HAS BEEN AFFECTED BY ITS EXCLUSION FROM THE GROUP OF FIVE, VON DOHNANYI EXPLAINED THAT THE G-5 HAD BEEN SET UP BEFORE THE FRG BECAME A MEMBER OF THE UN, THAT IT DOES NOT UNDERTAKE ANY ACTION OF ITS OWN DURING THE CONFERENCE, AND THAT THE FRG NEGOTIATING POSITION IS NOT AFFECTED BY NON-PARTICIPATION IN G-5 CONSULTATIONS. HE ADDED THAT GREAT BRITAIN AND FRANCE HAVE PROVEN TO BE USEFUL LINKS BETWEEN EC MEMBERS AND THE G-5.

4. IN RESPONSE TO A QUESTION AS TO WHETHER THE FRG HAS CONSULTED IN THE EC AND WITH THE US CONCERNING US CONGRESSIONAL CONSIDERATION OF UNILATERAL ACTION  
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ON DEEP SEABED MINING, VON DOHNANYI SAID: "THAT US GOVERNMENT HAS QUITE CLEARLY ADVOCATED THAT ATTAINMENT OF A SATISFACTORY INTERNATIONAL SEABED REGIME HAS UNEQUIVOCAL PRIORITY OVER UNILATERAL MEASURES.

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THE FEDERAL GOVERNMENT CONSIDERS THIS OPINION TO  
BE CORRECT. IF A SATISFACTORY INTERNATIONAL DEEP  
SEABED MINING REGIME SHOULD NOT COME ABOUT, THE  
FEDERAL GOVERNMENT WILL DO WHAT IS NECESSARY SO  
THAT THE STATUS OF TECHNOLOGY ATTAINED UP TO  
NOW AND INVESTMENTS ALREADY UNDERTAKEN WILL NOT BE  
LOST AND THAT THE FUTURE SUPPLY OF COMMODITIES CAN  
BE ASSURED IN THE BEST POSSIBLE WAY. IN THIS EVENT,  
IT WILL ALSO BE NECESSARY TO EXAMINE WHETHER  
RECIPROCITY CLAUSES GOVERNING RELATIONS WITH  
PARTNER COUNTRIES WOULD BE APPROPRIATE. FURTHERMORE,  
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THE FEDERAL GOVERNMENT HAS HAD CONTINUED CONSULTATIONS  
WITH OTHER INDUSTRIAL COUNTRIES, INCLUDING EC MEMBERS  
AND THE USA, ON QUESTIONS OF THE FUTURE REGIME FOR  
DEEP SEABED MINING. WITHIN THE FRAMEWORK OF THESE  
CONSULTATIONS, IT WAS INFORMED BY THE USG OF THE  
VARIOUS PIECES OF LEGISLATION WHICH WERE INTRODUCED  
BY MEMBERS OF THE US HOUSE OF REPRESENTATIVES IN THIS  
AREA".

5. IN A MAY 24 RADIO INTERVIEW, FOREIGN OFFICE  
STATE SECRETARY HERMES WAS ASKED TO COMMENT ON  
US DECISIONS TO PROTECT THE RIGHTS OF ITS INDUSTRY.

HERMES POINTED OUT: "WE HAVE VERY IMPORTANT OCEAN SHIPPING INTERESTS, FISHERIES INTERESTS, ECONOMIC INTERESTS, RESEARCH INTERESTS. WE WISH THAT A COMMON SOLUTION BE FOUND IN THE LOS CONFERENCE FOR ALL THESE PROBLEMS WHICH ARE OF GREAT IMPORTANCE TO US. WE DO NOT WISH THAT INDIVIDUAL AGREEMENTS BE REACHED WHICH WOULD ALLOW SOME COUNTRIES A FREE HAND FOR ARBITRARY ACTIONS IN OTHER FIELDS IN WHICH NO AGREEMENT HAS BEEN REACHED .... WE BELIEVE THAT WE SHALL BE ABLE WITH STRONG ALLIES TO ARRIVE AT A NEW ORDER ....AS LONG AS WE CARRY ON THESE NEGOTIATIONS, CARRY THEM ON WITH GOOD REASON FOR SUCCESS, WE CAN VIEW THE ACCEPTANCE OF INTERIM SOLUTIONS ONLY IN A NEGATIVE SENSE." HERMES ALSO EMPHASIZED THAT THE PARALLEL SYSTEM IS OF GREAT IMPORTANCE TO THE FRG AND THAT THE FRG WILL WORK WITH THE GREATEST ENERGY TOWARDS ITS ADOPTION IN THE CONFERENCE.

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## Message Attributes

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Margaret P. Grafeld  
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